

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CAPITOL RECORDS, INC.,)	
et al.,)	
)	
Plaintiffs,)	
)	
v.)	NO. 3:06-0212
)	Judge Echols
BETTY ZAHN,)	
)	
Defendant.)	

ORDER

For the reasons set forth in the Memorandum issued contemporaneously herewith, Plaintiffs' Application For Entry of Default Judgment By The Court (Docket Entry No. 11) is hereby GRANTED AS FOLLOWS:

(1) Plaintiffs are hereby AWARDED \$9,000.00 for Defendant's infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint;

(2) Defendant is hereby ENJOINED from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "Hotel California," on album "Hotel California," by artist "Eagles" (SR# N38950);
- "You Had Me From Hello," on album "Everywhere We Go," by artist "Kenny Chesney" (SR# 263-302);
- "The Gift," on album "The Gift," by artist "Jim Brickman" (SR# 242-241);

- "I Could Not Ask For More," on album "Born To Fly," by artist "Sara Evans" (SR# 291-176);
- "Dixieland Delight," on album "Closer You Get," by artist "Alabama" (SR# 49-145);
- "There You Are," on album "Emotion," by artist "Martina McBride" (SR# 269-161);
- "Sharp Dressed Man," on album "Eliminator," by artist "ZZ Top" (SR# 45-132);
- "Song For Mama," on album "Evolution," by artist "Boyz II Men" (SR# 240-088);
- "Father of Mine," on album "So Much for the Afterglow," by artist "Everclear" (SR# 181-328);
- "Brown Eyed Girl," on album "Songs from an American Movie - Vol. 1, Learning How to Smile," by artist "Everclear" (SR# 284-811);
- "Three Libras," on album "Mer De Noms," by artist "A Perfect Circle" (SR# 281-642);
- "Sexual Healing," on album "Midnight Love," by artist "Marvin Gaye" (SR# 41-568); and
- any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings").

The prohibition against directly or indirectly infringing Plaintiffs' copyrights includes, without limitation, using the

Internet or any online media distribution system to reproduce (i.e. download) any of Plaintiffs' Recordings, to distribute (i.e. upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs; and

(3) Defendant shall DESTROY all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

Entry of this Order on the docket shall constitute entry of a final judgment in accordance with Federal Rules of Civil Procedure 58 and 79(a).

It is so ORDERED.

A handwritten signature in black ink, appearing to read "Robert L. Echols", written over a horizontal line.

ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE